

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-582

August 30, 2000

UNITIL RESOURCES, INC.
Request to Transfer Competitive Electricity
Provider License to Usource, L.L.C.

ORDER TRANSFERRING
LICENSE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order, we transfer a license issued to Unitil Resources, Inc. to operate as a competitive electricity provider in Maine to Usource, L.L.C.

II. APPLICATION

On March 21, 2000, in Docket No. 2000-166, the Commission issued a license to Unitil Resources, Inc. d/b/a USource (URI) to operate in Maine as a competitive electricity provider, as provided in Chapter 305 of the Commission's Rules.

On July 10, 2000, URI requested that its license be transferred to a newly-formed affiliate, Usource, L.L.C., through which URI proposes to operate in Maine. Section 2(C)(10) of Chapter 305 requires prior Commission approval of any license transfer, upon written request "accompanied by a completed license application from the transferee." Usource, L.L.C. provided an updated application with required supporting materials. On August 21, 2000, URI filed additional information to supplement its earlier filing.

In Docket No. 2000-166, the Commission authorized URI to operate as an aggregator/broker in the service territories of Central Maine Power Company, Bangor Hydro-Electric Company, and Maine Public Service Company. Usource, L.L.C. requests authority to operate as an aggregator/broker "throughout the state."

II. TRANSFER OF LICENSE

Based on our review of the information provided with this request, we grant URI's request to transfer its license as a competitive electricity provider to Usource, L.L.C. As transferee of this license, Usource, L.L.C. must comply with all applicable requirements and limitations in the Commission's Order Granting License and Order Amending License in Docket No. 2000-166, and all requirements and limitations in Chapter 305 not explicitly waived in those Orders. Usource, L.L.C. must also comply with all requirements and limitations in other applicable Commission rules, including any applicable future changes in Maine laws and Commission rules.

III. CONSUMER PROTECTIONS

Competitive electricity providers, as a condition of licensing, must provide certain protections to consumers. Usource, L.L.C.:

- A. shall obtain a consumer's authorization before serving the consumer;
- B. may not release to any other entity, other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process, any personal information regarding a customer, including name, address, telephone number, usage and historical payment information, without the consent of the customer;
- C. must comply with the provisions of the Maine Unfair Trade Practices Act, Title 5, chapter 10;
- D. may not collect or seek to collect unreasonable costs from a customer who is in default;
- E. must comply with all applicable provisions of the federal Equal Credit Opportunity Act, 15 United States Code, Sections 1691 to 1691f;
- F. may not initiate a telephone solicitation call to a consumer who has notified the competitive electricity provider of the consumer's wish not to receive telephone solicitation calls made by or on behalf of the competitive electricity provider;
- G. must provide at least once annually to a customer any information disclosures required by the Commission by rule; and
- H. must comply with any other applicable standards or requirements established by the Commission by rule.

35-A M.R.S.A. § 3203(4-A).

IV. ORDERING PARAGRAPHS

Accordingly, we

1. transfer the license issued in Docket No. 2000-166 to Unitil Resources, Inc. d/b/a USource to operate as a competitive electricity provider pursuant to Chapter 305 of the Commission's Rules to Usource, L.L.C. effective on the date of this Order;
2. authorize Usource, L.L.C. to operate as an aggregator/broker, as defined in Chapter 305 of the Commission's Rules, throughout the State of Maine;
3. order that Usource, L.L.C. must comply with all consumer protection requirements contained in Part III of this Order;
4. order Usource, L.L.C. to observe all other requirements and limitations contained in the Commission's order in Docket No. 2000-166, attached to this Order; and
5. order that the license is valid until revoked by the Commission pursuant to section 3(A)(4) of Chapter 305, or abandoned by the licensee pursuant to sections 2(C)(9) and 2(C)(11) of Chapter 305 of the Commission's Rules.

Dated at Augusta, Maine, this 30th day of August, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.